

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADJUSTACAM LLC

v.

AMAZON.COM, INC. ET AL.

NO. 6:10-cv-329-LED

JURY

ORDER

CAME BEFORE THE COURT the Motions styled:

- (1) MOTION FOR PARTIAL SUMMARY JUDGMENT THAT ADJUSTACAM IS NOT ENTITLED TO PRE-SUIT DAMAGES PURSUANT TO 35 U.S.C. § 287(a) (Dkt No. 473);
- (2) DEFENDANT DELL INC.'S NOTICE OF JOINDER TO MOTION FOR PARTIAL SUMMARY JUDGMENT THAT ADJUSTACAM IS NOT ENTITLED TO PRE-SUIT DAMAGES PURSUANT TO 35 U.S.C. § 287(a) (Dkt No. 476); and
- (3) DEFENDANTS NEWEGG INC., NEWEGG.COM INC., AND ROSEWILL INC.'S NOTICE OF JOINDER IN DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT THAT ADJUSTACAM IS NOT ENTITLED TO PRE-SUIT DAMAGES PURSUANT TO 35 U.S.C. 287(a) (Dkt No. 483) (the foregoing Movants are collectively referred to as "Movants").

Upon consideration of the Motions and the Response by Plaintiff AdjustaCam LLC, the Court notes that AdjustaCam has conceded the veracity of the declarations appended to the Motions, and that AdjustaCam is not claiming entitlement to pres-suit damages from the

Movants under 35 U.S.C. § 287(a). Accordingly, the Motions are DENIED AS MOOT. It is SO ORDERED.